

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kaycie R. J.,¹

Civ. No. 22-1896 (JWB/DLM)

Plaintiff,

v.

**ORDER ACCEPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

Kilolo Kijakazi,
Acting Commissioner of Social Security,

Defendant.

Clifford Michael Farrell, Esq., Manring & Farrell; and Edward C. Olson, Esq., Reitan Law Office, counsel for Plaintiff.

Ana H. Voss, Esq., United States Attorney's Office; James D. Sides, Esq., and Sophie Doroba, Esq., Social Security Administration, counsel for Defendant.

This matter is before the Court on the Report and Recommendation ("R&R") of United States Magistrate Judge Douglas L. Micko dated June 12, 2023. (Doc. No. 29.)

No objections have been filed to that R&R in the time permitted. Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED that:

1. The June 12, 2023 R&R (Doc. No. 29) is **ACCEPTED**;
2. Plaintiff's Motion for Summary Judgment (Doc. No. 21) is **GRANTED** in part and **DENIED** in part;

¹ This District has adopted the policy of using only the first name and last initial of any nongovernmental parties in social security appeals such as the present case.

3. Defendant's Motion for Summary Judgment (Doc. No. 25) is **GRANTED** in part and **DENIED** in part; and

4. The matter is remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for proceedings consistent with the Magistrate Judge's Report and Recommendation. Specifically, the matter is remanded for the ALJ to consider and make findings on the supportability and consistency of Dr. Kennedy's prior administrative medical findings about Plaintiff's social interaction limitations, as required by 20 C.F.R. §§ 404.1520c and 416.920c, including an explanation and basis for any use by the ALJ of the terms "occasional" and "superficial" as they relate to Plaintiff's workplace interactions with coworkers and supervisors.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: July 13, 2023

s/Jerry W. Blackwell

JERRY W. BLACKWELL

United States District Judge